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# General Assembly

*Official Records*

Disarmament Commission

**206**th Meeting
Tuesday, 7 May 1996, 11 a.m.
New York

*Chairman*: Mr. Hoffmann . . . . . (Germany)

*The meeting was called to order at 11.40 a.m.*

**Report of the Disarmament Commission to the General Assembly at its fifty-first session**

**The Chairman**: We are now addressing agenda item 6, regarding the consideration and adoption of the reports of the subsidiary bodies, and of the draft report of the Disarmament Commission to the General Assembly (A/CN.10/1996/CRP.2 to CRP.5).

After the adoption of the reports, members will have an opportunity to make concluding statements.

I call first on the Chairman of Working Group I, on agenda item 4, to introduce the report of that Group.

**Mr. Chirila** (Romania), Chairman of Working Group I: It is both an honour and a privilege for me to introduce to the Disarmament Commission at its 1996 substantive session the report of Working Group I, on agenda item 4 (A/CN.10/1996/CRP.3).

I am happy to inform the Commission that, at its last meeting, on 3 May 1996, Working Group I adopted by consensus the text of the document entitled "Guidelines for international arms transfers in the context of General Assembly resolution 46/30 H of 6 December 1991". The document contains the following parts: Introduction, including elements of definition; Scope; Principles; Ways and means, which is divided into two sections, National and International; and Institutional arrangements, also divided into two sections, Role of the United Nations and Other institutional arrangements.

For the sake of clarity, and following our discussion in the Committee of the Whole, I would like to outline revisions to the draft report, which I propose we agree upon officially.

In paragraph 1, "illicit arms traffic" has been changed to "illicit arms trafficking".

In paragraph 13, "the following principles" should be replaced by "the principles listed below".

For the sake of uniformity, I propose to begin paragraph 41 "By its resolution 43/75 I of 7 December 1988, the General Assembly ...".

In paragraph 43, "Register of Conventional Arms" should be followed by a full stop. The following sentence should begin "It, *inter alia*, called upon all Member States ...".

In paragraph 45, "for peace and stability" should be replaced by "upon peace and stability".

In paragraph 46, "General Assembly called upon" should read "General Assembly, *inter alia*, called upon".

In paragraph 47, in the second line, "illicit arms trafficking was" should be replaced by "illicit arms trafficking is", and in the fifth line, "increased" should be changed to "increase".

As for the note which in the draft report is in the last part of page nine, I propose to make the note a foot

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This record contains the original texts of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

note to page eight — where paragraph 46 will figure in the report — to read "a) annexed to document A/46/301".

Also for the sake of uniformity, on the basis of comments and suggestions from delegations, I propose, first, to cite the relevant resolutions with their dates of adoption throughout the text of the guidelines, and secondly, to mention also the titles of the resolutions.

Allow me to say a few words about the document itself. Focused primarily on illicit arms trafficking, but also offering some important developments in the general framework of international arms transfers, the document is meant to provide a balanced and constructive contribution to the promotion and implementation of a set of principles and guidelines for the conduct of States in the sensitive and increasingly important domain we now call micro-disarmament, and in the monitoring and promotion of self-restraint in that field without affecting the legitimate rights of States to self-defence.

Mr. Chairman, as you stressed at the beginning of this session, it was high time that the Disarmament Commission had a success story after three years during which the Commission failed to reach consensus or to recommend to the General Assembly substantive documents on disarmament-related issues.

Reaching consensus on a substantial and fully elaborated document in such a complex and sensitive field as international arms transfers, with a special focus on illicit arms trafficking, taking into account and reflecting the interests, concerns and views of all, was made possible by the following factors. First was the existence of a good basis for negotiations in the Chairman's working paper (A/CN.10/1994/WG.I/CRP.6) from the previous session, achieved under your personal guidance, Mr. Chairman, at the 1995 session of the Disarmament Commission after an initial examination of the subject in 1994, under Colombia's chairmanship of the Working Group. The second factor was a maximum use of logistics by the Working Group. The third factor, in my opinion, was the dedication and efforts of delegations, including those expressing some concerns about the feasibility of finalizing a document in two weeks of negotiations.

Another factor, in my opinion, was a spirit of openness and cooperation conducive to a positive political attitude and a genuine spirit of compromise. A final important factor was a prevailing spirit of realism coupled with a high level of professionalism on the part of delegations.

The Working Group undertook the demanding task of organizing and condensing the material at hand to resolve the matters in brackets and the parallel competing formulations, and to further clarify conceptually issues, especially those related to the limitation between the licit and the illicit. For example, the wording "illicit arms trafficking" is consistently used in the document instead of various other formulations concerning non-licit phenomena. The result of our work is not perfect. Achieving a document imposed on us constraints and even broad compromises.

*(spoke in French)*

I take this opportunity to thank very warmly all those representatives who have contributed to this success by demonstrating a spirit of compromise and an understanding of the realities and constraints of all kinds which exist in such a difficult area to negotiate and — above all — to reach consensus in. I am very grateful to all those who, through their individual contributions, have helped the Chairman of the Working Group at difficult moments, even in situations which seemed quite hopeless at the time.

In my opinion, our Working Group was a good example of interaction between established diplomacy and the younger generation of diplomats. We all tried to look at that approach in the area of arms control and disarmament from a new, realistic and efficient perspective, taking into account the imperatives of regional and international security and stability.

I would like to extend to you at this point, Mr. Chairman, my most sincere thanks for the trust you have placed in me, and also for the warm support and encouragement which you have constantly given me.

I would like also to take this opportunity to express my appreciation and sincere thanks to the secretariat of our Working Group, particularly Mr. Timur Alasaniya, who demonstrated unwavering professionalism, Ms. Carolyn Cooper and Ms. Lidjia Komatina.

I also appreciated the support and friendship shown me by Mr. Prvoslav Davinić, Director of the Centre for Disarmament Affairs, and by the Deputy Director, Mr. Sohrab Kheradi, and the Secretary of the Commission, Mr. Lin Kuo-Chung. They were all a source of constant support and encouragement.

Chairing the Working Group on international arms transfers has been an honour and a pleasure for me. It was, moreover, a privilege for me to work under your leadership, Sir. Here I believe I speak on behalf of all representatives who participated in the negotiations in our Working Group.

By way of conclusion, as I submit the report of Working Group I, I also submit to the Commission and propose adoption by consensus of the document contained therein, entitled "Guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991".

**The Chairman:** If there are no comments, I shall take it that the Commission wishes to adopt the report of Working Group I on item 4 (A/CN.10/1996/CRP.3) regarding international arms transfers, as orally revised.

*The report, as orally revised, was adopted.*

**The Chairman:** We come next to the report of Working Group II on item 5, entitled "Exchange of views on the fourth special session of the General Assembly devoted to disarmament" (A/CN.10/1996/CRP.4).

I call on the Chairman of the Group, Ambassador Erdenechuluun, to introduce the report of Working Group II.

**Mr. Erdenechuluun** (Mongolia), Chairman of Working Group II: It is my great pleasure to introduce to the Disarmament Commission the report of Working Group II under agenda item 5, entitled "Exchange of views on the fourth special session of the General Assembly devoted to disarmament" (SSOD IV). The report is contained in document A/CN.10/1996/CRP.4.

Working Group II held 10 meetings between 23 April and 3 May 1996. It devoted three meetings to a general exchange of views, which was very constructive and useful. During the deliberations, a number of concrete proposals and ideas were put forward by various delegations for consideration by the Working Group. In addition, the Working Group has before it three non-papers, submitted by Indonesia on behalf of the member States of the Non-Aligned Movement and other States, Italy on behalf of the European Union, and New Zealand. As a result of the positive atmosphere that prevailed throughout the work of the Working Group, I was able to prepare a non-paper, the general thrust of which is based on the specific ideas and proposals presented to the Working Group.

In this connection, I wish to assert that the Chairman's non-paper, which is generally considered as laying the groundwork for future work, has, with the concurrence of the Working Group, been annexed, as the Chairman's working paper, to the present report of the Working Group. I should like to add that responsibility for the working paper rests solely with the Chairman, without any prejudice to the positions of Member States.

I wish to place on record my sincere thanks to Colombia, Chairman of the non-aligned group; Indonesia, Chairman of the Non-Aligned Movement working group on disarmament; Italy, Chairman of the European Union group; New Zealand; and the United States of America, all of whose cooperation and active participation contributed immensely to the work of the Working Group and made my difficult task easier. My thanks go equally to all delegations for the valuable cooperation and support that they extended to me during this session of the Disarmament Commission.

Despite deep-seated differences, the exchange of views on SSOD IV was distinguished by a surprising display of good will and realism and a spirit of cooperation and understanding among delegations. I hope that this positive, and I venture to say ground-breaking, new atmosphere will augur well for our future endeavours.

Allow me on this occasion, Mr. Chairman, to express my thanks to you for your valuable support throughout the session.

I should also like to take this opportunity to thank the Secretariat staff, especially the officers of the Centre for Disarmament Affairs, Mr. Mohammad Sattar and Ms. Agnes Marcaillou, for the efficient manner in which they helped move the work of the Working Group forward. I also thank the interpreters and conference officers, who have always demonstrated understanding and good will in assisting us in our work.

In conclusion, I should like to note that at its 10th meeting, on 3 May, Working Group II considered and approved its present report by consensus.

I have the honour to submit the report of Working Group II to the Disarmament Commission for its consideration and approval.

**The Chairman:** If there are no comments, I shall take it that the Commission wishes to adopt the report of Working Group II on item 5 (A/CN.10/1996/CRP.4) regarding the fourth special session of the General Assembly devoted to disarmament.

*The report was adopted.*

**The Chairman:** We turn now to the report of the Committee of the Whole on item 7 (A/CN.10/1996/CRP.5) regarding any other matters related to the work of the Disarmament Commission. In this regard, I, as Chairman of the Committee of the Whole, would like to introduce the report of the Committee.

The Disarmament Commission, at its 204th meeting, on 30 April, upon the request of a large number of delegations, decided to entrust the Committee of the Whole with the task of considering two particular issues: first, tentative dates and duration for the 1997 substantive session of the Disarmament Commission, and secondly, appropriate approaches or mechanisms for selecting subject-matters to be included in the agenda of the Disarmament Commission in the future.

As a result of consultations, the Committee agreed that the tentative dates and duration of the 1997 substantive session of the Disarmament Commission will be from 21 April to 12 May 1997, with the understanding that the exact dates for the session will be formally decided upon at the Commission's organizational session in December 1996.

With regard to the selection of subject-matters for the Commission's agenda items, the Secretariat, upon the request of the Committee, prepared a list of subject-matters for possible inclusion on the Commission's agenda, which is now annexed to the report of the Committee of the Whole. The Committee also decided to set up an open-ended consultation group undertaking the task of preparing a list of subject-matters that could be agreed upon by Member States for inclusion on the agenda of the Commission, prior to the fifty-first session of the General Assembly. This consultation group is being led by Indonesia. I hope that the consultation group will begin its work in the months ahead with a view to identifying certain promising subjects that could be acceptable to all delegations.

If there are no comments, I shall take it that the Commission wishes to adopt the report of the Committee of the Whole on item 7 (A/CN.10/1996/CRP.5), "Other business".

*The report was adopted.*

**The Chairman:** We shall now take up the draft report of the Disarmament Commission (A/CN.10/1996/CRP.2).

I call on the Rapporteur of the Commission, Mr. Rajab Sukayri, representative of Jordan, to introduce this draft report to the Commission.

**Mr. Sukayri** (Jordan), Rapporteur of the Disarmament Commission: It is my honour and pleasure to introduce to the Disarmament Commission the draft report of the Commission on its current session, as contained in document A/CN.10/1996/CRP.2.

In conformity with previous practice, the draft report contains four chapters: Introduction, Organization and work of the 1996 substantive session, Documentation, and Conclusions and recommendations. As in previous years, the document presents a factual description of the Commission's work and proceedings during the session.

With regard to the substantive parts of the work done by the subsidiary bodies of the Commission, chapter IV will contain the reports of the two Working Groups, which have just been adopted by the Commission. The report of the Committee of the Whole was also adopted a moment ago, concerning issues related to the work of the Commission. All those reports will automatically be incorporated into the draft report of the Commission.

I should like to draw the attention of representatives to the following changes in the draft report.

First, in paragraph 9, the fifth line should begin "the subject matter of nuclear-weapon-free zones".

The final sentence of the same paragraph should read "There was wide agreement on this point.".

Finally, in paragraph 22, the words "and other States" should be inserted after the word "Countries".

In my view, the work of the Disarmament Commission during the current session has gone very smoothly; generally speaking, it has been a successful

session. Working Group I, as indicated in the report before the Commission, was able successfully to conclude the item "International arms transfers, with particular reference to resolution 46/36 H of 6 December 1991". This remarkable achievement has come about as a result of the spirit of cooperation and compromise that prevailed among all participating delegations. The Chairman of the Working Group, Mr. Gheorghe Chirila, is to be commended for the excellent manner in which he led the deliberations on this highly sensitive and most important question of international arms transfers.

The same friendly and cooperative atmosphere prevailed also during the deliberations of Working Group II, which made it possible to reach consensus on the adoption of the Chairman's non-paper. That paper offers a good basis for future work on the exchange of views with regard to the convening of the fourth special session of the General Assembly devoted to disarmament. Ambassador Erdenechuluun's leadership is to be commended for the excellent work and the most satisfactory result we have reached in this regard.

The only serious difficulties experienced during this session were of an organizational rather than a substantive nature. I refer here to the lack of consensus on the exact title of the subject-matter for a third substantive agenda item. As indicated in the draft report of the Commission, in spite of the overwhelming support that the question of nuclear-weapon-free zones had received, divergent views among a very few delegations on the exact wording of the title made it impossible to reach consensus on the inclusion of this item during the current session. We hope that such consensus will be possible next year, especially since there has been a general understanding among the majority of delegations to take up this issue at the next substantive session of the Disarmament Commission.

On the other hand, and in addition to the success both Working Groups achieved this year, the Committee of the Whole has adequately addressed the question of compiling a composite list of possible items to be included in the agenda of the Disarmament Commission. The establishment of an open-ended consultation group to undertake this task has been a step in the right direction. In this area, as well as in all other positive achievements, the Chairman of the Commission, Ambassador Wolfgang Hoffmann, is to be commended.

Finally, I wish to take this opportunity to extend my heartfelt thanks to Mr. Prvoslav Davinić, Director of the Centre for Disarmament Affairs, and other members of the Secretariat for the diligent efforts, which greatly helped make this session of the Disarmament Commission a success. In particular I should like to express my sincere gratitude to Mr. Lin Kuo-Chung, Secretary of the Commission, and his colleagues for the invaluable and indispensable assistance they extended to me personally in the preparation of the Commission's draft report.

Moreover, the confidence shown by the Disarmament Commission in electing me as its Rapporteur has been a great honour and privilege for my country, Jordan, as well as for me personally. I extend my sincere thanks to all member delegations. In particular, I should like to state on this occasion that I have been honoured to have served under your guidance, Mr. Chairman.

With this brief introduction, I now recommend that the Commission adopt its draft report, as contained in document A/CN.10/1996/CRP.2.

**The Chairman:** We shall consider the draft report of the Commission (A/CN.10/1996/CRP.2) chapter by chapter.

Since there are no comments on chapter I, "Introduction", paragraphs 1 to 3, I shall take it that the Commission wishes to adopt those paragraphs.

*Paragraphs 1 to 3 were adopted.*

**The Chairman:** Are there any comments on chapter II, "Organization and work of the 1996 substantive session", paragraphs 4 to 17?

**Mr. Sarwat** (Egypt): I have just one remark concerning the revision to the last line of paragraph 9: "There was wide agreement on this point."

First of all, I should like to express our regret that we were not able at this session to include an item on nuclear-weapon-free zones on this year's agenda. We certainly hope that it will be on next year's agenda. In this context, I should like to say that we would have preferred the sentence to remain as it was: "There was general agreement on this point." For the convenience of some delegations, we could have added the words "with the exception of one, or a few, delegations".

I simply wished to record our position on this point, but we are ready to go along with the consensus agreement of this Commission.

**The Chairman:** If there are no further comments, I shall take it that the Commission wishes to adopt chapter II, paragraphs 4 to 17.

*Paragraphs 4 to 17 were adopted.*

**The Chairman:** We turn next to chapter III, "Documentation", paragraphs 18 to 26.

Since there are no comments on paragraphs 18 to 26, I shall take it that the Commission wishes to adopt those paragraphs.

*Paragraphs 18 to 26 were adopted.*

**The Chairman:** We turn next to chapter IV, "Conclusions and recommendations", paragraphs 27 to 31. The blanks in paragraphs 29 to 31 will be filled in by the Secretariat at a later date with the reports adopted earlier. Since there are no comments on these paragraphs, may I take it that the Commission wishes to adopt them?

*Paragraphs 27 to 31 were adopted.*

**The Chairman:** Having adopted all paragraphs of the report, the Commission will now take up the draft report as a whole. May I take it that the Commission wishes to adopt the draft report as a whole, as orally revised?

*The draft report, as orally revised, was adopted.*

**The Chairman:** The Commission has thus concluded its consideration of agenda item 6.

**Concluding statements**

**Mr. Fulci** (Italy): I have the honour to speak on behalf of the European Union and of the following countries associated with it: Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania and Slovakia. Iceland, Liechtenstein and Norway have also asked to join in our statement.

At the opening of this substantive session of the Disarmament Commission, we pledged our full cooperation and expressed our confidence that under your able guidance, Sir, the proceedings of this session would bear fruitful results. Despite the Commission not finding this year common agreement on the inclusion in the agenda of a third substantive item, we consider that the outcome of the 1996 session is encouraging for the future work of the Disarmament Commission. We welcome the cooperative mood which has prevailed at the session and hope that it can be built upon at this year's session of the First Committee.

The international community rightly devotes much attention to all aspects of arms transfers, and in particular to illicit arms trafficking. We therefore express satisfaction that Working Group I was able to adopt by consensus a set of guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991. We wish also to express our appreciation to its Chairman, Mr. Chirila, for his strenuous search for compromise on this difficult and complex issue.

We reiterate our support for the principle of consensus in the Disarmament Commission. The agreement on international arms transfers guidelines illustrates that, if flexibility is shown on all sides, this can work. This consensus also illustrates the value of maintaining focus on a balanced disarmament agenda and specific items. Conventional items are susceptible to global treatment, in the same manner as nuclear items. Consideration should also be given to follow-up work on conventional items at the Conference on Disarmament.

As stated at the opening of this session, in the case of licit transfers, comprehensive controls for arms exports and effective enforcement of those controls are essential, as is increased transparency in international arms transfers, in particular through the submission of full returns to the United Nations Register of Conventional Arms. In this context, a code of conduct could also be a way forward. In the case of illicit trafficking, countries should focus on improved national legislative measures and their effective implementation, as well as on improving international cooperation and coordination. These guidelines now allow us to look forward to further concerted international action for dealing with this pressing problem in all its dimensions.

Working Group II, on "Exchange of views on the fourth special session of the General Assembly devoted to disarmament", has produced an interesting and stimulating discussion. We are indeed grateful to the Permanent Representative of Mongolia, Ambassador Erdenechuluun, for his Chairman's paper, which we feel provides many useful elements for future work.

The European Union played its part in this discussion by putting forward, in its two statements of 23 and 30 April, the basic principles which we felt were

shared by all participating delegations. We hope this will help to build the consensus necessary both for a successful resolution at this year's session of the First Committee and for the fourth special session itself. We believe that the fourth special session could be useful in giving new life to multilateral disarmament efforts if consensus is reached on basic principles and objectives.

We wish to reiterate our sincere gratitude and appreciation for the skilful and able manner in which you, Sir, have presided over our proceedings at this particularly demanding session.

We would like also to pay tribute, once again, to the Bureau and the Chairmen of the Working Groups for all their untiring action, as well as to the Commission secretariat and to the interpreters for all their assistance and cooperation at this session.

**Mr. García** (Colombia) (*interpretation from Spanish*): I should like to make a brief statement on behalf of the States members of the Non-Aligned Movement.

First of all, I wish to extend our warmest congratulations to you, Sir, on the wisdom with which you guided the work of the Disarmament Commission at this substantive session. Your leadership has made a significant contribution to the excellent atmosphere that prevailed in our deliberations, which were always cordial and undertaken in a spirit of mutual respect and cooperation.

This session of the Commission completed one stage of a process that began in the United Nations in 1988. The Commission's work over the past three years has culminated in the adoption by consensus of a document setting out guidelines to be followed by States to eliminate illicit arms trafficking. It is gratifying to note that, after all these years of work, we have finally succeeded in drafting the guidelines for international arms transfers.

The adoption of the guidelines for international arms transfers, despite their complexity, shows that the Commission can continue to play an important role in the disarmament process. As it has done in the past, the Commission has successfully managed to identify, prepare and recommend various measures for negotiation in the appropriate forums.

In this connection, the non-aligned countries would like to thank the Chairman of Working Group I, Mr. Chirila of Romania, for his wise guidance of the Group's work, which led to the successful conclusion of the consideration of agenda item 4, "International arms transfers, with particular reference to General Assembly resolution 46/36 H of 6 December 1991".

The consideration of agenda item 5, "Exchange of views on the fourth special session of the General Assembly devoted to disarmament", was truly encouraging. Various States and groups of States expressed views that can be used as reference for the immediate future. It is clear that there is now broad agreement on the need to convene the fourth special session. Some disagreements remain to be addressed, however, on the objectives, preparatory process and time-frame for the fourth special session. The non-aligned countries feel sure that at this session the Commission has laid the groundwork for the preparatory process so as to ensure the successful convening of the fourth special session.

As to the objectives of the fourth special session, the non-aligned countries submitted their position in document A/CN.10/1996/WG.II/WP.3. We state for the record our appreciation to the Chairman of Working Group II, Ambassador Erdenechuluun of Mongolia, for his work in guiding the Group's deliberations as a first step in a structured process leading to preparations for the convening of the fourth special session of the General Assembly devoted to disarmament, pursuant to resolution 50/70 F. On a preliminary basis, we can state our agreement with the overall spirit of document A/CN.10/1996/WG.II/WP.6, which we feel to be a positive step in our preparations for the fourth special session.

Although we regret that consensus was not reached on a third substantive agenda item, we believe that the Commission will achieve the necessary agreements in the future to address this temporary situation. Having considered only two substantive agenda items should not set a precedent.

In conclusion, I wish once again to thank you, Sir, for the way in which you presided over our work, which made a significant contribution to the successful outcome of our deliberations. We also reiterate our thanks to the Chairmen of the Working Groups, to the Director of the Centre for Disarmament Affairs, Mr. Davinić, to Mr. Lin, Secretary of the Commission, and to the Secretariat in general, including the interpreters, translators and administrative staff.

**Mr. Deimundo Escobal** (Argentina) (*interpretation from Spanish*): My delegation wishes to make the following observations on the work done at this substantive session of the Disarmament Commission.

Our delegation welcomed the results achieved in Working Group I on guidelines for international arms transfers. The document that has been adopted is the Commission's most outstanding in the past five years. We feel that it is important because it guarantees the clear and precise establishment of important recommendations on controlling international arms transfers and provides direction and a general framework for the individual efforts of States to prevent illicit arms transfers.

One positive achievement in this field is the recognition by all States of their obligation to make responsible and restrained use of international arms transfers and of the need for common, appropriate and effective criteria for control. Far from being perceived as interference in the internal affairs of States, control of international arms transfers should be seen in the broader context of enhancing trust and transparency. Hence, the establishment of the Register of Conventional Arms was an important confidence-building measure and a concrete mechanism for enhancing security.

On the exchange of views on the fourth special session of the General Assembly devoted to disarmament, we feel that the discussions in Working Group II, based on the various working papers and statements made on the topic, were an important step forward. We feel that the Disarmament Commission has neither the capacity nor the powers to determine the issues to be discussed at the fourth special session. We do believe, however, that the working papers submitted by the delegations of the United States, Indonesia on behalf of the Non-Aligned Movement, and New Zealand, as well as the non-paper submitted by the Chairman of the Working Group faithfully reflect the points of view of some States on this agenda item. We also believe that the working paper submitted by Italy on behalf of the European Union contains important basic guidelines for shaping a future special session.

We feel that all the working papers submitted and statements made demonstrate the necessity of providing any eventual fourth special session with real and pragmatic content; otherwise, we will merely be repeating a sterile exercise which, because of its content, would not enjoy consensus among the members of the international community.

The work of the Disarmament Commission in the past few years needs to be assessed in its own right. We feel that the only way for this Commission to work and achieve concrete results is for its agenda to contain items arising out of genuine consensus among States. We feel that this is the challenge we are facing: to identify items and subject them to deep analysis. This will greatly enhance our credibility and hence, perhaps, that of other forums.

**Ms. Hamilton** (Australia): Like other speakers, I wish to express the appreciation of the Australian delegation to you, Sir, for your role in bringing this session to a successful finish. Your decisiveness and experienced pragmatism drew us from a troubled beginning of the 1996 session of the Disarmament Commission to a successful conclusion.

We were disturbed by the inability of all delegations to agree on subject-matter for a third substantive agenda item. Given the endorsement by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons of the further development of the network of nuclear-weapon-free zones as a contribution to enhanced global and regional security, and the highly positive developments which the international community has to report this year — the establishment of the African and South-East Asian Nuclear-Weapon-Free Zones — we believe that it should have been possible for delegations to agree on an approach for discussion of nuclear-weapon-free zones in order that the time set aside for the Working Group could be used profitably.

Australia welcomes the completed guidelines for international arms transfers produced by Working Group I. We would like to warmly congratulate Ambassador Chirila for his businesslike attitude in helping delegations to reach consensus in the context of strong national positions on sensitive issues. His practical approach to tapping the determination in the Working Group to produce a creditable and consensus outcome was critical to completion of the task.

The report of Working Group I translates the sentiment of General Assembly resolution 46/36 H into a sound basis for cooperation among States to combat the illicit arms trade, and includes guidelines to assist each of us in developing legislative and administrative infrastructures at the national level.

Australia is fully cognizant of the serious threat posed to the security and stability of States by unregulated access to small, lethal conventional arms, and we fully support all efforts in United Nations and other qualified organizations to stem the tide. We should bear in mind that legal arms transfers can also be destabilizing. Australia welcomes the references in the Working Group report to transparency measures. We encourage all countries to participate in the United Nations Register of Conventional Arms, and we encourage efforts to enhance its operation and effectiveness.

We would also like to pay tribute to Ambassador Erdenechuluun for his work as Chairman of Working Group II, on agenda item 5. His treatment of the subject of a fourth special session of the General Assembly devoted to disarmament (SSOD IV) integrated well the range of positions held by delegations, further spelt out in thoughtful papers put forward by delegations of the Non-Aligned Movement and of the European Union, and by New Zealand. The Chairman's working paper provides us with a good basis on which to proceed.

I wish to recall that Australia supported resolution 50/70 F. We are concerned to ensure that SSOD IV is scheduled in such a way that it has adequate time to prepare and the best possible story to tell — for example, to report a successfully concluded comprehensive test-ban treaty, and that the meeting itself provides a forward-looking framework for future concrete disarmament undertakings.

All members need to work to ensure the adoption of a manageable and constructive agenda well in advance of future sessions of the Disarmament Commission so that our deliberations can be as well-informed and productive as possible. In that light we commend your efforts, Mr. Chairman, in encouraging the drawing up of groups of issues that might provide subjects for Disarmament Commission consideration in the future. In an era when every moment of United Nations time has to be rigorously accounted for, and when the competing claims on resources have never been greater, Australia hopes that in future we will be able to make optimum use of the time allocated for the Disarmament Commission so as to advance the global disarmament agenda.

In conclusion, I would like to express Australia's appreciation to all delegations for making a strong effort to work back from the set-back at the beginning of the session in order to produce serious and constructive outcomes from the two Working Groups. We also thank the Commission secretariat, the translators and the interpreters for their dedicated work. It is Australia's view that the Disarmament Commission can play an essential and useful role if good faith and a constructive spirit are brought to bear.

**Mr. Tapia** (Chile) (*interpretation from Spanish*): First, my delegation would like join preceding speakers in congratulating you, Mr. Chairman, on the efficient way in which you have presided over the work of the Disarmament Commission at this session. Through you, Sir, I would like to extend congratulations to the other members of the Bureau, in particular the distinguished representatives of Romania and Mongolia on their able leadership of Working Groups I and II respectively. We would also like to thank the Secretariat for its tireless work.

My delegation would like to say how pleased it is at the conclusion of the work of Working Group I on defining a set of guidelines for international arms transfers. The document prepared is an important achievement for the efforts of the international community to establish guidelines which would contribute to the cause of international peace and security and would support the Charter right of States to legitimate self-defence, as well as recognizing the need for disarmament.

My delegation believes that the dialogue begun in Working Group II, which dealt with an exchange of views on the fourth special session of the General Assembly devoted to disarmament (SSOD IV), was very positive and will be an effective contribution to the work that the Preparatory Committee will have to do for SSOD IV.

My delegation attaches particular importance to the holding of the fourth special session of the General Assembly devoted to disarmament. The positive dialogue that has begun encourages us to look to the future with optimism. My delegation believes that we will have a major challenge to deal with in the future, and in this respect we agree with the comments of several other speakers about the need to carry out a thorough analysis of the items to be taken up at SSOD IV, which will have a significant impact on its output.

Finally, my delegation hopes that at the next substantive session of the Disarmament Commission we will not come up against the problems that we faced at this session — in other words, that we will, in time, have

a full agenda, prepared on a consensus basis, which will provide adequate time for consideration of the items. The great importance of the Disarmament Commission and its work requires this.

**Mr. Wang Xiaoning** (China) (*interpretation from Chinese*): On behalf of the Chinese delegation, I would like to congratulate you, Mr. Chairman, on the positive achievements of this session of the Disarmament Commission. We appreciate your diplomatic skills and experience. The Chinese delegation wishes also to congratulate the other members of the Bureau, including the Chairmen of the two Working Groups, the representatives of Mongolia and Romania. We would also like to thank the Secretariat; the Centre for Disarmament Affairs and its Director; our Secretary, Mr. Lin; and other meetings-services personnel, including the translators and interpreters. We appreciate their contribution to our work. We also wish to register our appreciation for the flexible attitude shown by various delegations.

We have successfully completed our consideration of the item on international arms transfers, and have formed a set of guidelines incorporating various points of view. China's view on arms transfer policy is that it should enhance recipient countries' ability to defend themselves without risking damage to international and regional peace, stability and security. It should not be used as a pretext to interfere in the internal affairs of sovereign States. We hope that principles in the guidelines can be realistically implemented.

China supports the convening of the fourth special session of the General Assembly devoted to disarmament (SSOD IV). We believe that, given the new international situation, there is a need to review the past and look into the future, so that the international community can collectively determine the direction of future disarmament efforts. It is our hope that in the future, and on the basis of the achievements of this session of the Disarmament Commission, all parties can continue to exchange views on disarmament, and reach consensus.

Finally, I would like to stress that the Chinese delegation has always appreciated the work of the Disarmament Commission. It is an important multilateral disarmament negotiating body and its role should be brought fully into play. China wants to cooperate with all countries to improve and enhance the work of the Disarmament Commission.

**Mr. Mesdoua** (Algeria) (*interpretation from French*): First, I wish to say that I subscribe to the statement made by Ambassador García of Colombia on behalf of the non-aligned countries. Allow me, Mr. Chairman, to tell you and other members of the Bureau how grateful my delegation is for the way in which you have conducted the work of this session. My delegation would also like to thank the Secretariat for its valuable help to us in our work.

Now that we are preparing to conclude the work of the 1996 substantive session of the Disarmament Commission, I would like put before representatives some of the impressions that my delegation has gained from this session. As we noted during the discussion, my delegation regrets that the Commission was not able to examine a third substantive item, relating to nuclear issues. This must not set a precedent. Because of the importance my country attaches to nuclear matters, and its particular interest in them, my delegation sincerely hopes that the Commission will be able to reach consensus and agree to consider a third item on nuclear issues, relating to nuclear-weapon-free zones, at its next session. We hope also that it will have sufficient time to consider the three items.

With regard to the fourth special session of the General Assembly devoted to disarmament (SSOD IV), I would like to salute the spirit which prevailed during the exchange of views. My delegation believes that the document submitted by the Chairman of the Working Group, Ambassador Erdenechuluun of Mongolia, to whom I pay tribute, constitutes a good basis for our future work on a fourth special session, which should review achievements in the field of disarmament, and, in particular, point out what remains to be done to save future generations from all destructive scourges. My country, with others, will tackle the adoption of a consensus resolution during the fifty-first session of the General Assembly, and will emphasize the importance of good preparation to ensure the success of that session.

With regard to Working Group I, on the question of arms transfers, my delegation is particularly pleased at the adoption of its report, which will, we hope, constitute a first step towards the elimination of illicit trafficking and unregulated arms transfers, which fuel terrorism in many areas of the world. In this context I would like to welcome the role played by the Chairman of the Working Group, Mr. Chirila of Romania, who showed great patience, and whose approach facilitated our deliberations

and the adoption of a document containing precise and clear recommendations and principles.

Finally, I cannot but reiterate my country's commitment to the future of the Disarmament Commission, which must play an increasingly important role in disarmament. That is confirmed this year by the adoption of the document on arms transfers. Despite the absence of consensus on a third substantive item, a variety of subjects could be taken on in an optimal way and could facilitate a better understanding of sensitive and crucial problems relating to the security of mankind. My delegation again supports the proposal to reflect on a list of subjects negotiated in advance before being examined at future sessions. We will participate very actively in consultations of the open-ended consultation group chaired by Indonesia.

**Mr. Aronsohn** (United States of America): On behalf of my Government, I would like to thank the Chairmen of the two Working Groups for their leadership and management of two very difficult issues. The United States joined consensus to adopt the Commission's paper on international arms transfers, although it is not as rigorous as we would have liked. The lack of a definition of arms transfers — which was recognized in the Working Group as being a difficul' concept to define — as well as the lack of definitions for other key terms, will allow member States to interpret the paper as they think best. For its part, the United States will interpret the paper in accordance with its national laws; our ability to do so was a key element in our decision to join consensus on the Commission's paper. We ask that this be clearly reflected in the record of this proceeding.

Finally, allow me, Mr. Chairman, to express my Government's sincere gratitude to you for your leadership of this session.

**Mr. Rivero Rosario** (Cuba) (*interpretation from Spanish*): First, I would like to say that we agree completely with the comments of Ambassador García of Colombia on behalf of the non-aligned countries. However, we would like to make a few general points. We, too, were sorry that we were not able to consider a third substantive item, on a nuclear theme. We trust that this will not set a precedent and that next year we will be able to resolve the problem.

The outcome of our work, and the reports of the Working Groups, lead us to the general view that the Disarmament Commission has emerged from this session strengthened and refreshed. In a positive way, we have shown the usefulness of this forum as a deliberative organ in which all Member States participate. Delegations, of course, have different views as to which items should be included in the agenda, or what subject-matter should be included under the various items. However, our results and the professionalism and political will we have witnessed in the debate lead us to the happy conclusion that the Commission has emerged from this session renewed.

The document which emerged from Working Group I is acceptable, and should be useful. It contains recommendations which will enable measures to be taken at the national and international levels to limit and eventually eliminate illicit arms trafficking. Our delegation believes that the implementation of the recommendations and, above all, the validity of the principles enshrined in them, should never be used in any way to impact upon or interfere in the internal affairs of States. The adoption of measures against illicit trafficking, certainly opens some general questions relating to transfers in general. The document describes in some detail the importance of transparency. However, transparency *per se* is not necessarily useful. It must be accompanied by an environment in which States can carry on their activities in security.

While we supported the document and find it acceptable, we would like to reiterate our position about the statement in paragraph 44 that the United Nations, the Disarmament Commission and other international forums should continue to work on the question of transparency, and particularly on the expansion of the Register of Conventional Arms.

The Cuban delegation stated its views on this at the last session of the General Assembly. We believed and continue to believe that the Disarmament Commission has very important tasks before it, which should be treated with priority. However, we agreed to the document in the sense that it should be considered in the various individual forums.

Concerning the work of Working Group II on the exchange of views on the fourth special session devoted to disarmament, our delegation was very pleased by the level of the exchange and the contributions that were made by many delegations and groups of delegations, as reflected in the Chairman's document.

We would have preferred that, with a view to preparing for that session, a meeting of the Preparatory

Committee could have been held in 1996. However, we think there must be agreement of all delegations to convene that important meeting. We are convinced and we hope that in the first part of the fifty-first session we will be able to take a final decision on the dates. We trust that the Preparatory Committee will begin its work as early as possible in 1997.

Having said that, all that remains for me to do is to extend my warmest congratulations and thanks to both Mr. Chirila and Ambassador Erdenechuluun for the tireless efforts and for the results of their work. I wish also to congratulate you, Mr. Chairman, the Vice-Chairman, the Rapporteur and the Secretariat for your successful work.

**Mrs. Peña** (Nicaragua) (*interpretation from Spanish*): I would like to extend to you, Mr. Chairman, special thanks on behalf of my delegation for the very efficient manner in which you guided our deliberations. Your known experience and your diplomatic skills guaranteed from the outset that we would achieve success at this session of the Disarmament Commission.

We would also extend our thanks to the Chairmen of the Working Groups, Ambassador Erdenechuluun of Mongolia and Ambassador Chirila of Romania, for helping us make progress in the difficult tasks we faced. Thanks to their efforts, we have adopted two important documents: one on the exchange of views on the fourth special session devoted to disarmament, and another on international arms transfers, matters to which my delegation attaches particular importance. The adoption of the important document on arms transfers has provided us with a vital set of guidelines on this subject, and was a significant step towards continued progress in this very complex area.

In highlighting what has been achieved at this session, we must mention the flexibility and spirit of cooperation demonstrated by delegations.

Lastly, we would like to thank the Commission secretariat and the interpreters for their valuable help.

**Mr. Moradi** (Islamic Republic of Iran): At the outset, we express our sincere thanks to you, Mr. Chairman, to the Chairmen of Working Groups I and II, Mr. Chirila of Romania and Ambassador Erdenechuluun of Mongolia, as well as to the members of the Secretariat for your effective guidance and dedication, which helped bring about the success of this year's session of the Disarmament Commission.

Despite the limited time provided to Working Group I, on international arms transfers this year, as well as in 1995 and 1994, the Group was able to reach a consensus on principles, guidelines and recommendations on transfers and on illicit trafficking. This success was due to the cooperation of all delegations, in particular countries which rely on these weapons for their security. We hope that the spirit of cooperation shown on this issue will be carried over to our efforts in the field of nuclear weapons and other weapons of mass destruction. The document itself, despite some shortcomings, in particular its lack of clarification of the responsibilities of the largest producers of conventional arms, provides us with a good basis for our collective efforts in the field of conventional weapons.

Working Group II, dealing with the fourth special session of the General Assembly devoted to disarmament (SSOD IV), exceeded our expectations and succeeded in producing a Chairman's paper which contains the basic elements needed for careful preparation of SSOD IV, which in itself can give direction to the future course of the international community's action in the field of disarmament.

Having said that, I should emphasize that the Disarmament Commission did not reach agreement on a third substantive item, despite the overwhelming support for the issue of nuclear-weapon-free zones. We hope that this does not set a precedent for future sessions of the Disarmament Commission. We also hope that all Member States will take advantage of this positive atmosphere and be guided by it in future consultations on a third item, as well as on a First Committee resolution on SSOD IV.

**Mr. Hahm** (Republic of Korea): The delegation of the Republic of Korea would like to express its appreciation for the dedication and able guidance which you have shown, Mr. Chairman, in presiding over the 1996 substantive session of the Disarmament Commission. My delegation's deep gratitude goes also to Ambassador Erdenechuluun of Mongolia and Mr. Gheorghe Chirila of Romania, for successfully presiding over the Working Groups over the last two weeks.

My delegation welcomes the successful outcome of the work of Working Group I, noting with satisfaction that after extensive deliberations the Disarmament Commission has successfully concluded a set of guidelines for international arms transfers in the context of General Assembly resolution 46/36 H. My delegation

is convinced that these guidelines — the first code of conduct in this field — will pave the way towards enhancing transparency in international arms transfers and eradicating illicit arms transfers.

My delegation, however, is of the view that we still have a long way to go. In order for these positive new measures to be effective, each country should undertake the utmost efforts to improve and, if necessary, strengthen its national laws, regulations and administrative procedures. Furthermore, concerted efforts to establish uniform standards for international arms control and for regulating the export and import of arms should be further enhanced.

My delegation takes this opportunity to reiterate the importance of submitting annual reports to the Register of Conventional Arms as an important confidence-building measure. In this context, my delegation strongly encourages those States which have not yet provided annual reports to the Register to do so at the earliest possible date.

On the fourth special session of the General Assembly devoted to disarmament, my delegation shares the view set out in the Chairman's paper that the special session will provide us with an opportunity to review the progress achieved thus far and to prepare better for the future, and that adequate and solid preparation is the key to ensuring a successful outcome.

In that regard, we believe that the Chairman's working paper on SSOD IV will serve as a useful basis for our future work on the issue. We hope that further consultations concerning the timing and agenda of SSOD IV will be undertaken to reach a consensus, as we have done thus far.

Finally, my delegation regrets that it was not possible to include in the 1996 agenda of the Disarmament Commission a third substantive item, on guidelines and principles for nuclear-weapons-free zones, despite several months of strenuous efforts. Taking into consideration the importance of nuclear-weapons-free zones as an effective means to achieve a global non-proliferation regime, it is my delegation's hope that this item will be included in the next year's agenda through further discussions or consultations among delegations.

**Statement by the Chairman**

**The Chairman:** No one would deny that this year's Disarmament Commission session had its ups and downs, both during the session and in the preparatory phase. There were moments when the outlook was rather bleak. It was unfortunate that it took us so long to agree on an item for this year's session and that we were not able to agree on a third substantive agenda item. We all know the reasons; I do not have to repeat them here.

I recall this background to help us better evaluate what we did achieve. In my view, we are entitled to consider this year's session an important step forward. Not only were we able to boast, for the first time since 1993, a Working Group that achieved concrete results, by adopting guidelines on international arms transfers — at this point I would like to extend my very special words of appreciation to the Chairman of Working Group I, Mr. Chirila of Romania, who really helped us through these difficult negotiations — we also managed to conduct discussions on the sensitive issue of the fourth special session devoted to disarmament, in a non-confrontational, cooperative manner which brought forward agreement on quite a number of elements. I would like, in particular, to highlight this new spirit. In that context, of course, it gives me very great pleasure to express my gratitude to the Chairman of Working Group II, Ambassador Erdenechuluun, for the excellent job he did in helping us reach this positive conclusion.

This year's achievements are only a beginning. We have to concentrate on the tasks ahead; we have to find new items for future sessions. I would therefore like to encourage everyone, in particular the interested delegations, to take an active part in that discussion and to assist the consultation group that we have established under the chairmanship of Indonesia. I think the list of possible items prepared by the Secretariat can serve as a good basis for that endeavour.

At the end of this session, I also wish to express my gratitude to all the Vice-Chairmen of the Commission and to our Rapporteur, Mr. Rajab Sukayri of Jordan — who did not always have an easy job — for their assistance and cooperation in carrying out the tasks entrusted to the Disarmament Commission by the General Assembly. Moreover, I am sure that the members of the Commission will join me in expressing our sincere thanks to the Centre for Disarmament Affairs. Particular thanks should go to the Secretary of the Commission, Mr. Lin Kuo-Chung. Let me also convey thanks to the interpreters and the conference officers and to all those who have assisted the meetings of the Disarmament Commission at this session.

All we have done this year is to take some steps, but they were steps in the right direction. For the sake of future Disarmament Commission sessions, but also for the sake of this year's First Committee, let us try to keep up the momentum; if we succeed in that, this session will really have been a success.

**Closure of the session**

**The Chairman:** I declare closed the 1996 substantive session of the Disarmament Commission.

*The meeting rose at 1.10 p.m.*